

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Determination of Insufficient Assets To Satisfy Claims Against Financial Institution in Receivership**

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Notice; second correction.

**SUMMARY:** The FDIC has determined that insufficient assets exist in the receivership of Darby Bank and Trust Co., Vidalia, Georgia, to make any distribution on general unsecured claims, and therefore such claims will recover nothing and have no value.

**DATES:** The FDIC made its determination on November 19, 2012.

**FOR FURTHER INFORMATION CONTACT:** If you have questions regarding this notice, you may contact an FDIC Claims Agent at (904) 256-3925. Written correspondence may also be mailed to FDIC as Receiver of Darby Bank and Trust Co., Attention: Claims Agent, 8800 Baymeadows Way West, Jacksonville, FL 32256.

**SUPPLEMENTARY INFORMATION:** On November 12, 2010, Darby Bank and Trust Co., Vidalia, Georgia, (FIN #10312) was closed by the Georgia Department of Banking and Finance, and the Federal Deposit Insurance Corporation (“FDIC”) was appointed as its receiver (“Receiver”). In complying with its statutory duty to resolve the institution in the method that is least costly to the deposit insurance fund (see 12 U.S.C. 1823(c)(4)), the FDIC facilitated a transaction with Ameris Bank, Moultrie, Georgia, to acquire all of the deposits and most of the assets of the failed institution.

Section 11(d)(11)(A) of the FDI Act, 12 U.S.C. 1821(d)(11)(A), sets forth the order of priority for distribution of amounts realized from the liquidation or other resolution of an insured depository institution to pay claims. Under the statutory order of priority, administrative expenses and deposit liabilities must be paid in full before any distribution may be made to general unsecured creditors or any lower priority claims.

As of September 30, 2012, the maximum value of assets that could be available for distribution by the Receiver, together with maximum possible recoveries on professional liability claims against directors, officers, and other professionals, as well as potential tax refunds, was \$125,488,526. As of the same date, administrative expenses and depositor liabilities equaled \$173,303,177, exceeding available assets and potential recoveries by at least \$47,814,651. Accordingly, the FDIC has determined that insufficient assets exist to make any distribution on general unsecured creditor claims (and any lower priority claims) and therefore all such claims, asserted or unasserted, will recover nothing and have no value.

On November 27, 2012, the FDIC published a notice in the **Federal Register** (77 FR 70779), incorrectly reciting that the date of determination was November 11, 2012. This correction recites the actual date of determination and the actual date of the publication of corrected notice.

Dated: December 18, 2012.

**Valerie J. Best,**  
*Assistant Executive Secretary.*

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**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Update to Notice of Financial Institutions for Which the Federal Deposit Insurance Corporation Has Been Appointed Either Receiver, Liquidator, or Manager**

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Update Listing of Financial Institutions in Liquidation.

**SUMMARY:** Notice is hereby given that the Federal Deposit Insurance Corporation (Corporation) has been appointed the sole receiver for the following financial institutions effective as of the Date Closed as indicated in the listing. This list (as updated from time to time in the **Federal Register**) may be relied upon as “of record” notice that the Corporation has been appointed receiver for purposes of the statement of policy published in the July 2, 1992 issue of the **Federal Register** (57 FR 29491). For further information concerning the identification of any institutions which have been placed in liquidation, please visit the Corporation Web site at [www.fdic.gov/bank/individual/failed/banklist.html](http://www.fdic.gov/bank/individual/failed/banklist.html) or contact the Manager of Receivership Oversight in the appropriate service center.

Dated: December 17, 2012.

Federal Deposit Insurance Corporation.

**Pamela Johnson,**  
*Regulatory Editing Specialist.*

**INSTITUTIONS IN LIQUIDATION**

[In alphabetical order]

FDIC Ref. No.	Bank name	City	State	Date closed
10467 .....	Community Bank of the Ozarks .....	Sunrise Beach .....	MO	12/14/2012

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**FEDERAL HOUSING FINANCE AGENCY**

[No. 2012-N-19]

**Proposed Collection; Comment Request**

**AGENCY:** Federal Housing Finance Agency.

**ACTION:** 60-day Notice of Submission of Information Collection for Approval from the Office of Management and Budget.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995, the Federal Housing Finance Agency (FHFA) is seeking public comments concerning a currently approved information collection known as “Affordable Housing Program (AHP),” which has been assigned control number 2590-

0007 by the Office of Management and Budget (OMB). FHFA intends to submit the information collection to OMB for review and approval of a three year extension of the control number, which is due to expire on February 28, 2013.

**DATES:** Interested persons may submit comments on or before February 25, 2013.

*Comments:* Submit comments to FHFA using any of the following methods:

- *Email:* [regcomments@fhfa.gov](mailto:regcomments@fhfa.gov).

Please include Proposed Collection;